

ORDINANCE NO. 031120-Z-7

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 10350-10500 IH-35 NORTH FROM NEIGHBORHOOD COMMERCIAL (LR) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from neighborhood commercial (LR) district to general commercial services-conditional overlay (CS-CO) combining district on the property described in Zoning Case No.C14-03-0142, on file at the Neighborhood Planning and Zoning Department, as follows:

A 3.58 acre tract of land, more or less, out of the J. Applegate Survey No. 58, Abstract No. 29, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as 10350-10500 IH-35 North, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district and other applicable requirements of the City Code.

PASSED AND APPROVED

SSS

APPROVED!

ATTEST:

Page 2 of 2

EXHIBIT "A"

LEGAL DESCRIPTION

BEING A 3.58 ACRE (156,100 SQUARE FOOT) TRACT OF LAND OUT OF AND PART OF THE J. APPLGATE SURVEY NUMBER 58, ABSTRACT NUMBER 29, SITUATED IN TRAVIS COUNTY, TEXAS, BEING THE SAME TRACT OF LAND FOR CHASE MANHATTAN BANK AS DESCRIBED BY THE INSTRUMENT RECORDED UNDER DOCUMENT NUMBER 2001009072 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY; THE AFOREMENTIONED 3.58 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at an iron rod found for the northeasterly corner of a parcel of land for Charles E. and L.A.C. Fitts as described by the instrument recorded in Volume 12850, Page 1633 of the Real Property Records of Travis County and in the westerly right-of-way line of Interstate Highway 35;

THENCE, North 59 degrees 13 minutes 05 seconds West, along the northerly line of the aforementioned Fitts parcel and along the northerly line of the Resubdivision of Lot 2 of the Guajardo Martinez Subdivision as depicted by the instrument recorded in Volume 30, Page 4 of the Plat Records of Travis County, a distance of 303.42 feet to an iron pipe for the northwesterly corner of said Martinez Subdivision, for the northeasterly corner of Section Five (5) of Western Trails of Quail Creek as depicted by the instrument recorded in Volume 82, Page 224 of the Plat Records of Travis County, and for the southeasterly corner of Lot Three (3) of Block Eight (8) of Section Two (2) of Mockingbird Hill as depicted by the instrument recorded in Volume 5, Page 168 of the Plat Records of Travis County;

THENCE, North 30 degrees 03 minutes 56 seconds East, along the easterly line of the aforementioned Block Eight (8), passing the northeasterly corner of the aforementioned Lot Three (3) of Block Eight (8) and the southerly right-of-way line of Applegate Drive at a distance of 145.27 feet, and continuing for a total distance of 173.72 feet;

THENCE, along the easterly line of Block One (1) of Section Two (2) of the aforementioned Mockingbird Hill for the next three (3) courses as follows:

1. North 30 degrees 04 minutes 08 seconds East, passing an iron rod found in the northerly right-of-way line of the aforementioned Applegate Drive for the southeasterly corner of Lot Eleven (11) of the said Section Two (2) at a distance of 31.18 feet, and passing an iron rod found for the northeasterly corner of said Lot Eleven (11) and for the southeasterly corner of Lot Ten (10) at 80.25 feet, and continuing for a total distance of 171.60 feet to an iron rod found;
2. North 30 degrees 01 minutes 27 seconds East, passing an iron pipe found for the northeasterly corner of the aforementioned Lot Ten (10) and for the southeasterly corner of Lot Nine (9) of the aforementioned Block One (1) at a distance 0.84 feet, and continuing for a total distance of 57.78 feet to an iron rod found;
3. North 29 degrees 40 minutes 35 seconds East, passing an iron rod found for the northeasterly corner of the aforementioned Lot Nine (9) and for the southeasterly corner of Lot Eight (8) of the aforementioned Block One (1) at 2.70 feet, passing an iron rod found for the northeasterly corner of the said Lot Eight (8) and for the southeasterly corner of Lot Seven (7) of the said Section One (1) at a distance of 62.66 feet, and continuing for a total distance of 110.47 feet to an iron pipe found for the southwesterly corner of a parcel of land for Mary Y. Joseph as described by the instrument recorded in Volume 6325, Page 1618 of the Deed Records of Travis County;


THENCE, South 59 degrees 56 minutes 57 seconds East, along the southerly line of the aforementioned Joseph tract, a distance of 303.54 feet to an iron rod set for the southeasterly corner of said Joseph tract and in the aforementioned westerly right-of-way line;

THENCE, along the aforementioned westerly right-of-way line for the next three (3) courses as follows:

1. South 30 degrees 00 minutes 00 seconds West, a distance of 114.50 feet to an iron rod found;
2. South 29 degrees 53 minutes 35 seconds West, a distance of 225.19 feet to Texas Department of Transportation Type I (concrete) monument found;
3. South 30 degrees 08 minutes 10 seconds West, a distance of 176.90 feet to the POINT OF BEGINNING of the herein described tract and containing a calculated area of 3.58 acres (156,100 square feet) of land, more or less.

THIS LEGAL DESCRIPTION IS TO BE USED IN CONJUNCTION WITH THE ACCOMPANYING SURVEY PLAT (BY SEPARATE INSTRUMENT), ONLY.

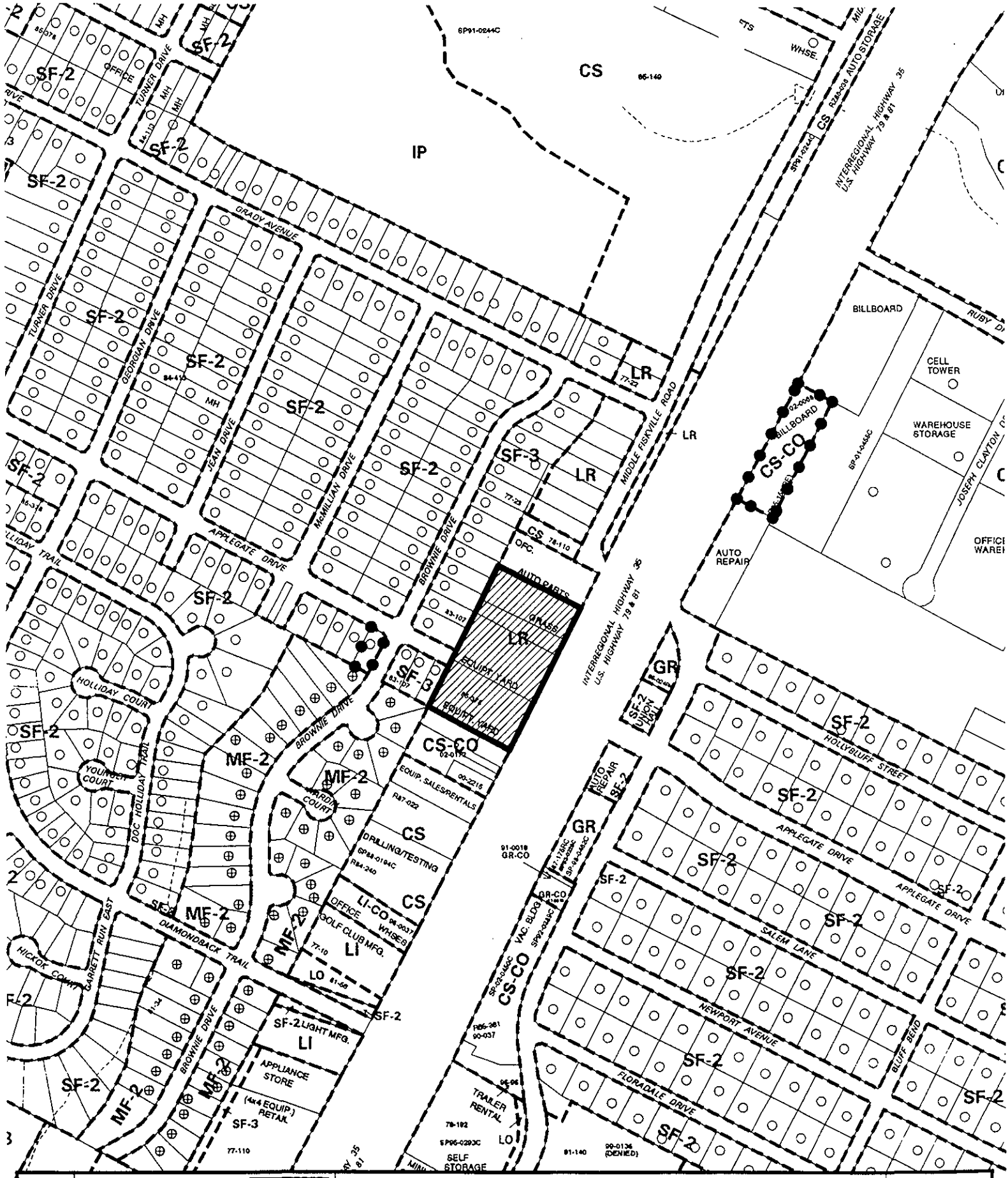
This legal description was prepared from an on the ground survey, performed under my supervision, and is true and correct to the best of my knowledge.


J. McCormack
Tx. R.P.L.S. No. 5237

11/04/07
Revised Date



Job No. B0830003



 1" = 400'	SUBJECT TRACT 	ZONING EXHIBIT B		CITY GRID REFERENCE NUMBER M31
	PENDING CASE 			
	ZONING BOUNDARY 	CASE #: C14-03-0142	DATE: 03-09	
	CASE MGR: G. RHOADES	ADDRESS: 10350-10500 N I 35 SVC RD SE SUBJECT AREA (acres): 3.580	INTLS: SM	